IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor

ESTES et al.

Appln. No.

Not Yet Assigned (CONT. of U.S. Appln. No. 09/393,003)

Conf. No.:

.

Unknown

Filed:

July 18, 2003

Title:

July 10, 2005

SLEEP APNEA TREATMENT APPARATUS

Group Art Unit

Unknown

Examiner

Unknown

Docket No.

91-01°C7

July 18, 2003

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents and Trademarks Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

This Information Disclosure Statement is being filed within 3 months of the filing date of this application.

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application No. 09/393,003, filed September 9, 1999, of which the

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on <u>July 18, 2003</u> with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EV 196251685 US.

Michael W. Haas, Reg. No. 35,174

ESTES et al. -- Appln. No.: Not Yet Assigned

(CONT. of U.S. Appln. No. 09/393,003)

present application relies upon for an earlier filing dated under 35 U.S.C. § 120. Therefore, no such copy is required to be submitted by the applicant with this Information Disclosure Statement per 37 C.F.R. § 1.98(d).

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

Michael W. Haas

Reg. No.: 35,174

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RESPIRONICS INC. 1010 Murry Ridge Lane Murrysville, PA 15668-8525 1-800-638-8208

PTO/SB/08 I	Form (RESPIRONICS Ver	sion)		Application No.	Not Yet Assigned
	*			Filing Date	July 18, 2003
IN	FORMATION	DIS	CLOSURE	Inv ntor	ESTES et al.
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				Group Art Unit	Unknown
Date July 18, 2003				Examiner:	Unknown
Sheet	1	of	2	Attorney Docket No:	91-01 C7

U.S. PATENT DOCUMENTS									
Examiner	Cite	U.S. Patent Docu	ment	Name of Patentee	Publication Date	Relevant Pages,			
Initials	No.	Number	Kind Code	Name of Paternee	MM-DD-YYYY	Columns, Lines			
	Α	RE 35,295		ESTES et al.	07/1996				
	В	3,595,228		SIMON et al.	07/1971				
	С	4,003,377		DAHL	01/1977				
_	Ď	4,155,357		DAHL	05/1979				
	E	4,393,869		BOYARSKY et al.	07/1983				
	F	4,433,685		GIORGINI et al.	02/1984				
	G	4,550,726		MCEWEN	11/1985				
	Н	4,766,894		LAGRAND et al.	08/1988				
	1	4,825,802		LEBEC	05/1989				
	J	4,972,842		KORTEN et al.	11/1990				
	K	4,990,894		LOESCHER et al.	02/1991				
	L	5,107,830		YOUNRD	04/1992				
	М	5,107,831		HALPERN et al.	04/1992	· · · · · · · · · · · · · · · · · · ·			
	N	5,117,819		SERVIDIO et al.	06/1992				
	0	5,134,995		GRUENKE et al.	08/1992				
	Р	5,148,802		SANDERS et al.	09/1992				

FOREIGN PATENT DOCUMENTS									
Examiner Initials	Cite No.		Foreign Patent Docume	ent	Patentee or Applicant	Publication	Relevant Pages, Columns, Lines	Т	
		Office	Number	Kind Code		Date MM-DD-YYY		'	
	Q	DE	3429345			06/1985			
	R	EP	0164946			12/1985			
	S	EP	00352938		,	01/1990			
	T	AU	3096489			09/1990			
	U	FR	2663547			12/1991			
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Examiner	Date	
Signature	Considered	

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.

PTO/SB/08 F	orm (RESPIRONICS Ver	sion)		Application N	Not Yet Assigned
				Filing Date	July 18, 2003
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U.S. PATENT DOCUMENTS							
Examiner	Cite No.	U.S. Patent Doc	ument	Name of Patentee	Publication Date	Relevant Pages,	
Initials		Number	Kind Code	Name of Faterice	MM-DD-YYYY	Columns, Lines	
	Α	5,165,397		ARP	11/1992		
	В	5,199,424		SULLIVAN et al.	04/1993		
	С	5,203,343		AXE et al.	04/1993		
	D	5,239,995		ESTES et al.	08/1993		
	E	5,301,689	1	WENNERHOLM	04/1994		
	F	5,313,937	-	ZDROJKOWSKI	05/1994		
	G	5,320,092		RYDER	06/1994		
	Н	5,503,146		FROEHLICH et al.	04/02/1996		
	ı	5,551,418		ESTES et al.	09/1996		
	J	5,970,975		ESTES et al.	10/1999		
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Examiner Initials	Cite No.	F	oreign Patent Docur	ment	Patentee or Applicant	Publication	Relevant Pages, Columns, Lines	Т	
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